

**REMARKS**

Reconsideration of the application is respectfully requested.

With this amendment, claims 1-10, 12, 14-16, 18 and 38 are in the application. Claim 1 has been amended to track claim 39, and, accordingly, claim 39 has been cancelled. Claim 18 has been amended to correct a minor typographical error.

In the Official Action, the Examiner rejected claims 1, 7, 9, 12, 14-16 and 39 under 35 U.S.C. §102(e) as being allegedly anticipated by Kokish (U.S. Patent No. 6,391,002).

Kokish is directed to a balloon catheter having an elongated catheter shaft 11 and a balloon 14 mounted on a distal section 13 thereof. The balloon catheter acts as a delivery device which does not remain in a patient's body. (See, e.g., col. 1, lines 54-56; col. 4, lines 10-14).

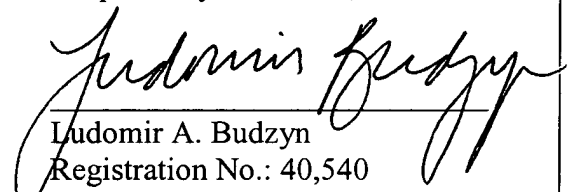
Claim 1 is directed to a prosthesis which includes "an implantable tubular member". In contrast, Kokish does not include an implantable tubular member on his balloon catheter. Rather, the balloon catheter is usable to deliver an implantable member to a desired location. The balloon catheter itself is not implantable. It is respectfully submitted that claims 1, 7, 9, 12 and 14-16 are patentable over Kokish.

Applicant(s): John E. Sherry  
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Applicant is pleased to note the indication of allowable subject matter in claims 2-6, 8, 10 and 18, but refrains at this time from amending these claims into independent form. Applicant is also pleased with the indication of allowability of claim 38.

Favorable action is earnestly solicited. If there are any questions or if additional information is required, the Examiner is respectfully requested to contact Applicant's attorney at the number listed below.

Respectfully submitted,

  
Ludomir A. Budzyn  
Registration No.: 40,540  
Attorney for Applicant(s)

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, New York 11791  
(973) 331-1700